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IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH, CENTRAL DIVISION

UNITED STATES OF AMERICA,	:	Case No. 2:18-CR-365-JNP-BCW
	:	
Plaintiff,	:	
	:	
v.	:	GOVERNMENT'S FIRST OBJECTIONS
	:	TO JURY INSTRUCTIONS
LEV ASLAN DERMEN,	:	
a/k/a Levon Termendzhyan,	:	
	:	District Judge Jill N. Parrish
Defendant.	:	Magistrate Judge Brooke C. Wells

Now comes the United States of America, by and through its undersigned counsel, and respectfully provides the following objections based on review thus far:

- Footnotes remain in Instructions No. 37 and No. 44
- The summary of the Indictment, Instruction No. 29, must include the precise amounts of the transfers charged in Count 8 (\$3,160,000) and Count 10 (\$3,520,085), else there is a danger the jury will convict on the wrong transfer. This is also a reason to submit the Indictment to the jury.

- Instruction No. 20 suggests that the jury has the *entire* unredacted deposition available to watch, rather than the selections admitted as evidence
- Re-insert statutory language in Concealment Money Laundering instruction that the transaction must “represent” the proceeds and the meaning of that phrase:

“Whoever, knowing that the property involved in a financial transaction **represents the proceeds** of some form of unlawful activity, conducts or attempts to conduct such a financial transaction which in fact involves the proceeds of specified unlawful activity, knowing that the transaction is designed in whole or in part to conceal or disguise the nature, the location, the source, the ownership, or the control of the proceeds of specified unlawful activity, is guilty of concealment money laundering.”

The phrase “knowing that the property involved in a financial transaction **represents the proceeds** of some form of unlawful activity” means that the person knew the property involved in the transaction represented proceeds from some form, though not necessary which form, of activity that constitutes a felony under State, Federal, or foreign law.

The United States has not had an opportunity to complete its review of the proposed jury instructions.

Respectfully submitted this 11th of March 2020.

JOHN W. HUBER
United States Attorney

/s/ Leslie A. Goemaat
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Certificate of Service

I certify that on the 11th of March 2020, I caused a copy of the foregoing to be filed through the CM/ECF electronic filing system, thereby providing notice to all parties of record in this case.

/s/ Leslie A. Goemaat

Leslie A. Goemaat

Special Assistant United States Attorney